REMARKS

Initially, in the Office Action dated April 22, 2004, the Examiner objects to the drawings because Figs. 3A and 3B should be labeled with a legend such as --Prior Art-- because only that which is old is illustrated. The drawings are objected to as failing to comply with 37 C.F.R. §1.84(p)(5) because they are missing a reference sign mentioned in the description.

Claims 1, 2, 9, 10 and 12 have been rejected under 35 U.S.C. §102(e) as being anticipated by U.S. Patent Publication No. 2002/0151334 A1 (Sharma). Claim 15 has been rejected under 35 U.S.C. §102(b) as being anticipated by U.S. Patent No. 5,797,098 (Schroeder et al.). Claims 3, 11, 13 and 14 have been rejected under 35 U.S.C. §103(a) as being unpatentable over Sharma in view of Schroeder et al. Claim 4 has been rejected under 35 U.S.C. §103(a) as being unpatentable over Sharma in view of U.S. Patent Publication No. 2003/0078033 A1 (Sauer et al.). Claims 5 and 6 have been rejected under 35 U.S.C. §103(a) as being unpatentable over Sharma in view of U.S. Patent No. 6,169,897 (Kariya). Claim 7 has been rejected under 35 U.S.C. §103(a) as being unpatentable over Sharma in view of U.S. Patent Publication No. 2003/0060240 A1 (Graham et al.). Claim 8 has been rejected under 35 U.S.C. §103(a) as being unpatentable over Sharma in view of U.S. Patent No. 6,650,892 (Thiriet).

By the present response, Applicants have canceled claims 1, 2, 4-10 and 12 without disclaimer. Applicants have amended claims 3 and 11 to further clarify the invention. Claims 3, 11 and 13-15 remain pending in the present application.

Drawings Objections

Figures 3A and 3B have been objected to, the Examiner asserting that they should be designated by a legend such as "Prior Art". Further, the Examiner asserts that Fig. 3B is missing a reference number 31. Applicants have submitted amended figures addressing these issues and respectfully request that these objections be withdrawn.

35 U.S.C. §102 Rejections

Claims 1, 2, 9, 10 and 12 have been rejected under 35 U.S.C. §102(e) as being anticipated by Sharma. Applicants have cancelled these claims therefore rendering these rejections moot.

Claim 15 has been rejected under 35 U.S.C. §102(b) as being anticipated by Schroeder et al. Applicants respectfully traverse this rejection.

Schroeder et al. discloses an improved user interface for a cellular telephone system subscriber unit that includes functions related to a predictive keyboard input method for speeding up input on a telephone with a space limited keyboard, a word completion method for speeding up input, a distinctive signaling method useful in a dual-mode or tri-mode cellular phone system that incorporates voice call functionality and data messaging functionality, a secret message method that permits secret messages to be received by an authorized user of a cellular telephone that includes a data messaging capability, a message screening method that permits a user to set a message screen mode in a cellular telephone, an improved scratchpad method which permits a user to enter a telephone number into a storage register of a cellular

telephone while in the middle of a voice call, visually verify the entry, and then save the number to a rapid redial location for later reuse, and a global search method for searching text strings in all of the different memory sections of a cellular telephone having an address book, an hierarchy menu structure, and stored data messages.

Applicants submit that Schroeder et al. does not disclose or suggest the limitations in the combination of claim 15 of the present application of, inter alia, a predictive text input means for text message entry on a mobile communication device, the predictive text input means presents, in response to a given text entry, one or more word predictions from a dictionary of words used by the predictive text input means, the predictive text input means comprising a counter that monitors the frequency of selection of words used from the dictionary and provides an output based on the monitored frequency of selection, which output is used to modify the order of the predicted words represented in respect of the given text entry. The Examiner asserts that Schroeder et al. discloses the predictive text input means including a counter that monitors the frequency of selection of words used from the dictionary and provides an output based on the monitored frequency of selection, which output is used to modify the order of the predicted words presented in respect of the given text entry at col. 7, lines 37-47. However, these portions of Schroeder et al. merely disclose the addition of new words into the dictionary tree so that those words can be used in the future predictions. It states that all new words would be "automatically indexed" and added to the dictionary. This is not monitoring the frequency of selection of words used from a dictionary and providing an output

used <u>to modify the order of the predicted words represented</u> in respect of a given text entry, as recited in the claims of the present application. The Examiner appears to use impermissible hindsight in asserting that the phrase "automatically indexed" as disclosed in Schroeder et al. means that the new words would be ordered according to their frequency of use in the dictionary, as recited in the claims of the present application. However, there is nothing in Schroeder et al. to support these assertions. In the context of the dictionary tree used in Schroeder et al. (see Fig. 6), the phrase "automatically indexed" appears to mean that the new word is indexed correctly within the structure of the dictionary tree much like books are indexed in a library. Moreover, even if the new words were ordered according to their frequency, this is not <u>providing an output</u> based on a monitored frequency of selection that is <u>used to modify the order of the predicted words represented</u> in respect of the given text entry. Schroeder et al. merely discloses that new words in the dictionary are recorded for replacing infrequently used words with newly entered words without exceeding the capacity of the telephone (see col. 7, lines 47-50). Moreover, these portions of Schroeder et al. relate to <u>new words being inputted</u> whereas the limitations in the claims of the present application relate to modifying the order of <u>predicted words outputted</u>.

Accordingly, Applicants submit that Schroeder et al. does not disclose or suggest the limitations in the combination of claim 15 of the present application. Applicants respectfully request that this rejection be withdrawn and that this claim be allowed.

35 U.S.C. §103 Rejections

Claims 3, 11, 13 and 14 have been rejected under 35 U.S.C. §103(a) as being unpatentable over Sharma in view of Schroeder et al. Applicants respectfully traverse these rejections.

Sharma discloses a cellular telephone that includes a first database memory for storing calling telephone numbers and a first frequency tag associated with each calling telephone number and a second database memory for storing called telephone numbers and a second frequency tag associated with each called telephone number. The first frequency tag indicates the number of times the calling telephone number has called the cell phone and the second frequency tag indicates the number of times the cell phone has called the called telephone number. A controller connected to the first and second database memories accesses the memories and generates respective sorted lists using the first and second frequency tags.

Regarding claims 3, 11 and 13, Applicants submit that none of the cited references, taken alone or in any proper combination, disclose, suggest or render obvious the limitations in the combination of each of these claims of, inter alia, a mobile telecommunications device including a controller operable to predict and select words in a dictionary in response to text message entry, the controller also being configured to initially predict and select the word most frequently selected by the user when more than one word fits a prediction where the plurality of user selectable items is a dictionary of words. The Examiner admits that Sharma does

not teach a dictionary of words, predicting and selecting a word stored in the dictionary in response to a text message entry, and initially predicting and selecting the word most frequently selected by the user when more than one word fits a prediction, but asserts that Schroeder et al. teaches these limitations in the claims of the present application. However, as has been noted previously, Schroeder et al. does not disclose or suggest these limitations in the claims of the present application. For the same reasons noted previously regarding claim 15, Schroeder et al. fails to disclose or suggest the limitations in the claims of the present application. Specifically, Schroeder et al. does not disclose or suggest providing an output based on a monitored frequency of selection that is used to modify the order of the predicted words represented in respect of the given text entry. As noted previously, Schroeder et al. merely discloses that new words in the dictionary are recorded for replacing infrequently used words with newly entered words without exceeding the capacity of the telephone (see col. 7, lines 47-50). Moreover, Schroeder et al. relates to new words being inputted whereas the limitations in the claims of the present application relate to modifying the order of predicted words outputted. As the Examiner admits, Sharma does not overcome the substantial defects noted previously regarding Schroeder et al.

Regarding claim 14, Applicants submit that this claim is dependent on independent claim 13 and, therefore, is patentable at least for the same reasons noted regarding this independent claim. For example, Applicants submit that none of

the cited references disclose or suggest a program as recited in claim 13 being stored on a computer readable medium.

Accordingly, Applicants submit that none of the cited references taken alone or in any proper combination, disclose, suggest or render obvious the limitations in the combination of each of claims 3, 11, 13 and 14 of the present application. Applicants respectfully request that these rejections be withdrawn and that these claims be allowed.

Claim 4 has been rejected under 35 U.S.C. §103(a) as being unpatentable over Sauer et al. Applicants have canceled this claim therefore rendering this rejection moot.

Claims 5 and 6 have been rejected under 35 U.S.C. §103(a) as being unpatentable over Sharma in view of Kariya. Applicants have cancelled these claims therefore rendering these rejections moot.

Claim 7 has been rejected under 35 U.S.C. §103(a) as being unpatentable over Sharma in view of Graham et al. Applicants have canceled this claim therefore rendering this rejection moot.

Claim 8 has been rejected under 35 U.S.C. §103(a) as being unpatentable over Sharma in view of Thiriet. Applicants have cancelled this claim therefore rendering this rejection moot.

In view of the foregoing amendments and remarks, Applicants submit that claims 3, 11 and 13-15 are now in condition for allowance. Accordingly, early allowance of such claims is respectfully requested.

To the extent necessary, Applicants petition for an extension of time under 37 CFR 1.136. Please charge any shortage in fees due in connection with the filing of this paper, including extension of time fees, or credit any overpayment of fees, to the deposit account of Antonelli, Terry, Stout & Kraus, LLP, Deposit Account No. 01-2135 (referencing attorney docket no. 367.41306TRN).

Respectfully submitted,

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Attachment: Replacement Sheet